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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,021	06/20/2003	Jordi Albornoz	ROC920030230US1	8486

46797 7590 03/24/2010

IBM CORPORATION, INTELLECTUAL PROPERTY LAW
DEPT 917, BLDG. 006-1
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EXAMINER	
PHAM, KHANH B	

ART UNIT	PAPER NUMBER
2166	

MAIL DATE	DELIVERY MODE
03/24/2010	PAPER

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JORDI ALBORNOZ, AVIJIT CHATTERJEE,
PAUL R. CHMIELEWSKI, LEE D. FEIGENBAUM,
CHRISTINE A. GREV, KYLE L. HENDERSON,
LONNIE A. McCULLOUGH, and CALE T. RATH

Appeal 2009-005129
Application 10/600,021
Technology Center 2100

Decided: March 24, 2010

Before JOSEPH L. DIXON, HOWARD B. BLANKENSHIP, and
JEAN R. HOMERE, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1, 5-15, 18-25, 27, 30, and 32-37, which are all the claims remaining in the application. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Invention

Appellants claim methods, systems, and computer-readable storage media for managing data object annotations. *See* Abstract.

Representative Claim

1. A method for exchanging information between entities on a network comprising:

identifying a plurality of annotatable data objects manipulated by a plurality of applications on the network;

providing a set of annotation structures, each associated with one or more of the annotatable data objects and each defining attributes of one or more user interfaces for manipulating annotations for the annotatable data objects, wherein the one or more user interfaces comprise at least one graphical user interface, based on an associated annotation structure;

providing one or more transforms for use in transforming annotations structures into graphical user interfaces; and

providing, via an annotation management system on the network, the one or more user interfaces, wherein elements of each user interface are dependent on the attributes defined by an associated one of the annotation structures and wherein the elements are configured for user input corresponding to the manipulating of the annotations, wherein providing the at least one graphical user interface comprises transforming the associated annotation structure.

Prior Art

Kadel	2002/0184401 A1	Dec. 5, 2002
Gupta	6,956,593 B1	Oct. 18, 2005

Examiner's Rejections

Claims 1, 6-15, 18-25, 27, 30, and 32-37 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Gupta.

Claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Gupta and Kadel.

Claim Groupings

Based on Appellants' arguments in the Appeal Brief, we will decide the appeal on the basis of claims 1, 15, and 30. *See* 37 C.F.R. § 41.37(c)(1)(vii).

FINDINGS OF FACT

Gupta

Gupta describes a system by which annotations may be associated with data objects by means of a client computer 15 (Fig. 1) and an interface module 152 that presents a graphical user interface (GUI). Col. 11, l. 59 - col. 12, l. 13.

A user may, for example, use the GUI to add a new annotation using dialog box 280 (Fig. 7). Col. 12, l. 56 - col. 13, l. 6.

Annotation server 10 (Fig. 1) communicates with the client computers, in addition to managing annotation meta data store 18 and annotation content store 17. Col. 3, ll. 59-62.

Annotation server 10 (Fig. 1) also maintains data structures as exemplified by annotation entry 180 (Fig. 4). The annotation entry structure contains fields having data that define particular characteristics of annotation entry 180. Col. 7, ll. 27-39.

PRINCIPLES OF LAW

Claim Interpretation

The *claims* measure the invention. *See SRI Int'l v. Matsushita Elec. Corp.*, 775 F.2d 1107, 1121 (Fed. Cir. 1985) (en banc). During prosecution before the USPTO, claims are to be given their broadest reasonable interpretation, and the scope of a claim cannot be narrowed by reading disclosed limitations into the claim. *See In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997); *In re Zletz*, 893 F.2d 319, 321 (Fed. Cir. 1989); *In re Prater*, 415 F.2d 1393, 1404-05 (CCPA 1969). Our reviewing court has repeatedly warned against confining the claims to specific embodiments described in the specification. *Phillips v. AWH Corp.*, 415 F.3d 1303, 1323 (Fed. Cir. 2005) (en banc).

Anticipation

"Anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim." *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 1458 (Fed. Cir. 1984).

ANALYSIS

Claim 1

The Examiner finds instant claim 1 to be anticipated by Gupta, as set forth in the Answer at pages 3 and 4, and amplified at pages 12 to 16.

I

Appellants acknowledge that the Examiner reads the claimed "set of annotation structures" on the data structures as depicted (annotation entry 180) in Figure 4 of Gupta. Appellants argue, however, that the annotation entry structures do not define user interface attributes as claimed. According to Appellants, the data structure described by Gupta contains fields that merely store annotation data that has been created by a user via the GUI, and is in no way indicative of how a GUI is generated. Reply Br. 3.

Gupta discusses property fields 202 (Fig. 4), which are contained in annotation entry 180, in material at column 9.

> User-defined property fields 202 are one or more user-definable fields that allow users (or user interface designers) to customize the annotation system. Examples of such additional property fields include a "reference URL" property which contains the URL of a web page used as reference material for the content of the annotation; a "help URL" property containing the URL of a help page which can be accessed concerning the content of the annotation; a "view script" property containing JavaScript which is to be executed whenever the annotation is viewed; a "display type" property, which gives the client user interface information about how the annotation is to be displayed; etc.

Gupta col. 9, ll. 51-62.

Gupta thus discloses that the annotation structures contain data that can at least provide URLs to the GUI, provide JavaScript to be executed when the annotation is viewed, and provide information to the GUI about how the annotation is to be displayed. We are therefore not persuaded that the annotation structures described by Gupta fail to define "attributes of one or more user interfaces" for manipulating annotations for the annotatable data objects as claimed.

II

Appellants also submit that Gupta does not disclose "providing one or more transforms for use in transforming annotations [sic] structures into graphical user interfaces."

The Examiner finds that Gupta discloses that the annotation structures may be stored in relational database format (e.g., in annotation meta data store 18; Fig. 3), and must be transformed to HTML format for rendering and display at the client computer 15 by the Web browser 153. Ans. 15-16.

Appellants' claim 1 does not specify where the "one or more transforms" may reside, what form the transform(s) may take, to what extent the transform(s) may be involved in the overall "transforming" of the structures into graphical user interfaces, or to what extent the graphical user interfaces may be "transformed" by the structures. User interface 152 (Gupta Fig. 3) is a "transform" for all that claim 1 requires, as are any of the structures between the client Web Browser 153 and store 18 (e.g., ABE module 132 or HTTP Services module 131). *See* Gupta col. 6, ll. 18-28 and l. 52 - col. 7, l. 18.

Claim 15

Claim 15 recites "generating a graphic user interface based on one of the annotation structures," a limitation that we have addressed in our review of the rejection of claim 1. Claim 15 recites, in addition, retrieving "or more annotation structures associated with the data object and dependent, at least in part, on at least one credential of a user initiating the request, wherein the at least one credential comprises a role of the user." Appellants argue that the "Add New Annotation" dialog box described in column 12 of Gupta does not disclose the claimed "retrieving" step. App. Br. 13.

However, the Examiner finds that (Ans. 16), according to Gupta, the annotation entry structures are associated with sets dependent in part on the role of the user, such as "instructor," "assistant," or "student" sets.

Gupta describes a set identifier 198 (Fig. 4) that identifies one or more sets to which annotation entry 180 belongs. The set to which an annotation belongs can be defined by the author of the annotation, with the sets corresponding to annotations that relate to, for example, instructors, assistants, or students. Gupta col. 9, ll. 15-25. Selection of a particular set by the user can be made by from a drop-down menu or by typing in the selection with a keyboard. *Id.* at col. 12, l. 60 - col. 13, l. 6. Further, the reference describes several additional interfaces by which the user can select the particular one or more annotation structures associated with a data object based on set selection. *Id.* at col. 15, l. 64 - col. 16, l. 14; col. 16, ll. 19-30; col. 17, l. 26 - col. 18, l. 4.

We are therefore not persuaded that Gupta fails to disclose retrieving annotation structures dependent, at least in part, on a role of the user as claimed.

Claim 30

Appellants submit that Gupta does not disclose "a set of application plug-ins, each specific to one or more of the applications and configured to communicate with the annotation server via the application programming interface functions."

However, the Examiner finds that at least user interface 152 (Fig. 1) can be considered a "plug-in" component with respect to Web browser 153. Ans. 17. Gupta discloses that the user interface module 152 may be incorporated into the Web browser in a graphical user interface windowing environment. Col. 12, ll. 3-13. We agree with the Examiner that the artisan would understand Gupta as describing an embodiment in which the user interface constitutes a "plug-in" component, or a "set" of application plug-ins, since there is more than one client system as depicted in Figure 1 of the reference.

Appellants acknowledge as much, but argue that the claim requires that the plug-ins communicate with the annotation server "via the application program interface functions." According to Appellants, "[c]learly, the user interface 152 does not communicate with the annotation server 10 via an API, but through an ABE module and an HTTP services module." App. Br. 15.

Appellants' argument might appear to have prima facie merit. However, the argument fails when we find how it is that Appellants define an "application programming interface," or API. "As used herein, the term API generally refers to any set of interface functions (e.g., implementing any

suitable inter-process protocol) that may be used to communicate between a client computer or process and a server computer or process." Spec. 13:1-4.

Thus, each of ABE module 151 and HTTP Services module 150 fits squarely within Appellants' definition of an "application programming interface"; i.e., implementing any set of interface functions that may be used to communicate between a client computer and a server. *See* Gupta col. 6, ll. 29-32.

Conclusion

Based on the foregoing, we sustain the Examiner's § 102(e) rejection of claims 1, 6-15, 18-25, 27, 30, and 32-37 over Gupta. We also sustain the § 103(a) rejection of claim 5, because Appellants rely on the alleged deficiencies of Gupta as applied against base claim 1 as a complete response to the rejection.

DECISION

The rejection of claims 1, 6-15, 18-25, 27, 30, and 32-37 under 35 U.S.C. § 102(e) as being anticipated by Gupta is affirmed.

The rejection of claim 5 under 35 U.S.C. § 103(a) as being unpatentable over Gupta and Kadel is affirmed.

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

AFFIRMED

msc

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